

23 AUG 1979

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MEMORANDUM FOR: ~~Acting Director of Central Intelligence~~

FROM: Harry E. Fitzwater
Director of Personnel

SUBJECT: NAPA Project Group Items

1. Forwarded for your information are the final drafts of four papers prepared by the NAPA Project Group:

- Labeling Positions as Professional and Clerical (Attachment A)
- Movement Into Professional Positions (Attachment B)
- Personnel Policy: Approval and Publication of Regulations (Attachment C)
- "E" Career Service (Attachment D)

2. The Project Group proposes, and I agree, that no immediate implementing action be taken on any recommendation, although it is apparent that some--such as contained in the labeling paper--stand independent of other topics to be undertaken by the Group in the weeks ahead. Rather, they suggest each item upon completion be provided only to you--not the Executive Committee--for any comment you may wish to make, and implementing action be taken subsequent to the Group's completion of all tasks and forwarding of the total package. By following this process, there will be assurance that the recommendations submitted at different periods do not in the end work at cross-purposes. In short, the Project Group deems it very important, as a last step, to have an opportunity to review the totality of its effort before Executive Committee review to verify that all pieces fit together.

3. If there are instances where I do not agree or have some reservation with the Project Group's recommendations, I will give you my view in the forwarding memorandum for that particular item.

Harry E. Fitzwater

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Att

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OP/F&C/NAPA Group:cmc (27 Aug 79)

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FINAL DRAFT
 27 August 1979

LABELING POSITIONS AS PROFESSIONAL AND CLERICAL

I. NAPA Inferred Recommendation (pp. 75-76): consider the EEO Advisory Group's belief that the Agency should follow the recent practice in the Labor Department and Census Bureau of avoiding categorizing job positions as professional, clerical or technical for all data gathering or reporting activities.

II. Analysis/Background.

The NAPA Report holds the view that a stigma is attached to the designation or "labeling" of each position in the Agency as professional, clerical or technical, the implication being that clerical and technical tasks are viewed as "non-professional." Preliminary to addressing this matter, however, one item of accuracy must be noted about the NAPA Report. Neither the Labor Department nor Census Bureau has abandoned the use of labeling and both continue the use of standard Civil Service job breakdown for statistical reporting purposes. Rather, in communication other than statistical reporting, a concerted effort is made to substitute the word "support" for clerical wherever this substitution will not confuse the issue at hand.

This notation aside, the division of jobs into basic position categories such as professional, technical and clerical has a variety of applications, as spelled out in a memorandum on this subject prepared by D/OEE0 at the direction of the DDCI. Those are:

- ° Labels facilitate CIA communication with and reporting to other government agencies and OMB about personnel related matters and are useful for compensatory monitoring under the Fair Labor Standards Act..

- ° Labels serve as an aid to Agency recruiters in terms of clarifying Agency jobs and desired qualifications to potential applicants who are generally familiar with the Civil Service ~~job classification system.~~
- ° Labels facilitate the development, implementation, monitoring and evaluation of the Annual Personnel Plan, Personnel Development Plan, Equal Employment Opportunity Plan and other personnel related tools employed by management.
- ° Labels are used as a means of defining the goal of Upward Mobility, i.e., movement from dead-ended clerical or technical positions to open opportunity professional positions. The "non-professional" labels identify those eligible to participate in Upward Mobility programs.

Although these applications argue well for retention of the three broad categories of job designators, the use of the "non-professional" labels, by their unintended implication, may have adverse effect on the morale of some employees. As pointed out by the Director/OEEO, employees, particularly secretaries and technicians, resent being considered "non-professional" when they perceive themselves to be or are certified professional in their specialties.

III. Conclusions.

A. Division of jobs into basic position categories is necessary for statistical and other reporting purposes.

B. Basic job titles could be changed in order to eliminate the word "clerical" but this would be purely cosmetic as long as we retain the

"professional" designator.

- C. No substitute for "professional" is apparent that would not overly complicate and confuse present applications of the three categories.
- D. The terms professional, technical and clerical have specific meanings as defined in the Agency Handbook of Position Titles and Occupational Codes that relate to the complexity of the job, not to the professional manner in which employees perform.
- E. The problem as presented by the NAPA Report is an attitudinal one and action should be taken to promote a better understanding of the use of labels for employees.

IV. Recommendations.

- A. Maintain the basic position categories of clerical, technical and professional.
- B. Agency managers should not recognize category distinctions in the treatment of their employees and where possible should discourage the use of such category labels in referring to individuals. Therefore, charge the Director of Training the responsibility for including a segment in appropriate OTR courses (such as orientation and basic management courses) that addresses the three basic job categories into which all employees are placed, why this is done, and what it means. The presentation should stress no implication of lesser status for "non-professional," and that clericals do perform in a professional manner, etc.

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MOVEMENT INTO PROFESSIONAL POSITIONS

I. NAPA Comment: "Examine the EEO Advisory Group's view (in the matter related to labeling of professionals and clericals) that having a college degree appears to be a requirement for movement into 'professional' positions--particularly in the CT Program and in the DDA." The Present System, pp. 76-76.

II. Analysis/Background.

The connection of a college degree with entry into professional ranks is an issue more related to qualification standards than the subject of EEO or "labeling." In any event, there is no identifiable Agency policy that says or implies a college degree is required for movement into professional positions. In fact, approximately 27% of professional employees do not have a degree. In most instances, however, it is an accurate perception by the Advisory Group that Agency components, including the DDA and the CT Program, require a college degree for their professional positions. The definition of "professional" in the Agency Handbook of Position Title and Occupational Codes is germane to this "requirement":

"This category includes staff, contract, and military positions involving performance of work considered Managerial, Administrative Management, Scientific, Intelligence, Engineering, Legal, Investigative, or Educative--which requires the analysis and solution of problems, and the determination of action involving the exercise of judgment and initiative. Normally a

baccalaureate degree or equivalent training is required
but demonstrated ability, experience, and potential may
be substituted."

The percentage of Agency professionals without a degree indicates that flexible application of the above is practiced. Nonetheless, in the eyes of some employees there continues to be too few instances where capable, non-degreed individuals have moved to professional positions based on demonstrated ability, etc. This is a perception difficult to deal with. Its existence also raises a question as to whether there is sufficient distinction between the tasks of some professional and clerical positions. Without this distinction between work in a professional field and work that is closely allied with it, but not itself professional, it is easy to see why employees may have difficulty in understanding why more non-degreed people do not move to professional positions. Such lack of distinction may also explain why employees at times view a college degree "requirement" with some suspicion.

Staff Personnel Division--in recognizing that there are instances when a component will advertise a professional vacancy requiring a degree when such may not be essential--monitors the education requirement for all vacancy notices to be distributed Agency-wide. If the need for a degree is not apparent, SPD consults with the originating component, and in some instances this requirement is removed, the wording altered to parallel more closely with the duties, or a specific degree, identified. SPD, however, does not monitor Directorate or Office-wide vacancy notices.

Employee concerns over conversions from clerical to professional status and whether some professional positions do or do not require a college education appear to be manifestations of frustration in dealing with the fact

that once a certain clerical grade level is achieved there is minimal opportunity for promotions without becoming a professional. (The average clerical grade is GS-06, and only one in fifty is GS-10 or higher.) This is a reality in any government organization, however, where salaries are determined by the complexity of the job. The important thing in CIA is that opportunity be provided for clericals to move to professional jobs-- and it is for those with ability, experience and potential.

III. Project Group Findings.

A. There is no Agency requirement that employees must have a college degree to move into any professional position.

B. The requirement for a degree is not always clearly apparent for a professional position.

C. Components at times require a college degree for a professional vacancy when it is not essential to performance of the task.

IV. Recommendations.

A. Position Management and Compensation Division and the operating heads insure that job descriptions and standards accurately reflect the educational criteria for professional positions.

B. Within each office or division, the issuing officer for a vacancy notice be charged with the responsibility to verify the component's vacancy notice requirement for a college degree and to assure that the need for this requirement is adequately conveyed in the notice.

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PERSONNEL POLICY: APPROVAL AND PUBLICATION OF REGULATIONS

I. NAPA Recommendation. "The regulations be annotated in such a fashion that all policy issues are clearly identified as such and subject to change (or the addition of new policies) only by the DCI. Implementing procedures would be the responsibility of the DDA or the Director of Personnel."

NAPA, Recommendations and Conclusions, p. 107.

II. Pertinent NAPA Comments. "The system for issuance of regulations governing Agency personnel management does not provide proper mechanisms for policy decision-making by the DCI/DDCI." NAPA, Executive Summary, p. II & III.

III. Analysis/Background.

A. Identifying policy in regulations.

1. Headquarters Regulations [] address personnel matters. This series is presently divided into [] [] covering such subject matters as categories of personnel, separation, promotions, pay, detailed personnel, etc. Within each of these sub-series, policy, procedures, responsibilities, and where appropriate, authorities that govern that specific subject are generally delineated in sections. All sub-series do not follow the same format as to labeling the sections nor do they all address the same sections.

2. [] were examined to determine if all policy issues contained in that sub-series were clearly identified, or included but not clearly identified, or included but within implementing text, or not stated at all. From this examination, it was determined that policy was

stated in 90% of the regulations. In over 41% of the sub-series the policy issue was clearly identified and labeled as such. In 45% of the sub-series the policy issue was either included but not clearly identified or was included within implementing text. In 4% of the sub-series, part of the policy issue was clearly identified but the remaining parts of the policy issues were either not clearly labeled or stated within implementing text. A policy issue or statement was neither identified nor included in about 9% of the sub-series.

3. Having a regulation that clearly delineates the authority, policy, practices and responsibilities eliminates confusion and aids in enforcing and following the approved policy. [] (Reference A), Management of Specially Qualified Scientific Personnel, appears to be a correctly formatted regulation. The authority, policy, procedures to be followed and responsibilities of individuals or positions involved are clearly stated. In contrast, [] (Reference B), Promotion, is an example of a confusing regulation. Although the authority to promote is stated, it is not clearly labeled. The Agency policy is identified, but the policy statement also includes implementing procedures and responsibilities of certain positions. In another example, [] (Reference C), Categories of Personnel, is one of four regulations where policy is not stated nor needed as the subject matters covered are either informational or definitional in nature.

B. Policy approval and implementation procedures.

1. As NAPA observed in their report, "The history of the Agency makes it clear that policy is developed and implemented only with senior line

management involvement and top management interest and support." (p. 7)

Revisions since 1976 to the [] with relation to policy have had the approval of senior management. This approval took one of several forms. In some instances, DCI approval was direct; in others, the DDCI used his delegated authority to approve policy changes; in most instances, the Executive Committee (or its predecessor units) were involved in the decision making process.

2. Recommended policy changes usually take the form of staff papers prepared by either the Office of Personnel or one of the various management advisory groups created within the Agency. Frequently, the policy change is requested by Agency senior management which explains why options may not be included in the staff papers.

3. In reviewing the revisions to the [] it was confirmed that the coordination process is frequently a lengthy procedure. But, under the concept of decentralized personnel management, implementing procedures, although developed by the specialist concerned, to be effective, require the concurrence of operating officials who are charged with managing personnel. The review indicated no instances where basic policy was changed; the difficulty revolved around implementation procedures. The NAPA comment (p. 8) that coordination often results in the regulation being reduced to the lowest common denominator may, in some instances, be correct. However, the fact remains that procedures must be acceptable to those charged with managing the Agency's human resources and when these procedures are to be applied in diverse situations, they may have to be general rather than specific in content.

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STAT 4. The procedures for coordinating regulations as detailed in (Reference D), offer certain time limits for responses and agreement among coordinators. Every effort is made to resolve differences at the coordinator level but if this is not possible, the DDCI is charged with resolving the differences. Once coordination has been effected, the DDA is normally the final issuing authority on Headquarters regulations unless statute requires DCI and DDCI approval. As stated by NAPA: "This is in accordance with an OGC opinion dated 9 December 1960." (p. 8)

IV. NAPA Project Group Findings.

A. Identifying policy in regulations.

1. The NAPA finding that policy and procedure are often combined in Headquarters Personnel Regulations is valid.
2. Confusion in interpretation would be reduced if regulations clearly emphasized the basic policy issue contained in that sub-series.
3. Some sub-series are informational or definitional and may not need to include a clearly identifiable policy statement.

B. Policy approval and implementation procedures.

1. The DCI, or designee, has approved all changes to, or new, personnel policies.
2. Staff papers or Executive Committee deliberation, not regulations, are the vehicle for obtaining personnel policy approval. Regulations reflect policy decisions by establishing responsibilities and operating procedures. As such, they are developed by specialists in that field but subject to coordination with those who are charged with the applications and functioning of the Agency's personnel program.

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V. NAPA Project Group Recommendations.

A. Identifying policy in regulations.

STAT The Director of Personnel should have regulations reviewed and where necessary revised in format to clearly indicate the basic Agency policy on the subject contained in that sub-series. This revision should be completed within six months. As this is a format change only, coordination is not necessary. The revised regulation should note "revised for format only," with the last date of content change also indicated. Only those reflecting policy issues need be revised.

Those sub-series programmed for content change within six months after the completion of the format revision can be revised for format when revised for content.

B. Policy approval and implementation procedures.

The DCI or the DDCI will continue to approve all new personnel policies or any changes to existing policies; the Director of Personnel will develop personnel regulations; and, the DDA, following coordination with appropriate senior Agency managers, will issue all Headquarters Personnel Regulations unless statute requires DCI or DDCI approval.

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24. MANAGEMENT OF SPECIALLY QUALIFIED SCIENTIFIC PERSONNEL

- a. **GENERAL.** This regulation prescribes the policy and responsibilities pertaining to the Agency's personnel management and pay system for specially qualified personnel assigned to selected scientific positions associated with high priority national intelligence requirements.
- b. **AUTHORITY.** The authority for the policy prescribed by this regulation, including the establishment of a Scientific Pay Schedule, is derived from Section 8 of the Central Intelligence Act of 1949, as amended (50 U.S.C. 403j).
- c. **POLICY.** It is Agency policy to recruit, motivate, and retain highly competent scientific personnel. Of these, a small percentage occupies specially designated scientific positions and are remunerated in accordance with a Scientific Pay Schedule (SPS). SPS employees, specialists in the physical, biological, medical, or engineering sciences occupy one of the following categories of SPS positions:
 - (1) Scientific advisor to managers of organizations engaged in either (a) exploratory research for the discovery of new concepts, phenomena, and theories providing the genesis of new technologies applicable to the intelligence process, (b) application of new technological advances in designing, developing, and fabricating prototype hardware and software systems, equipment, devices, and techniques for intelligence purposes, or (c) analysis, evaluation, and production of foreign scientific intelligence responsive to high priority national intelligence requirements and the shaping of United States foreign policy.
 - (2) Team leader, project manager, or first line supervisor responsible for the technical management of research and development projects of an office-wide research program as characterized in paragraph c(1).
 - (3) Combined position of advisor and technical manager with responsibilities for major scientific programs.
- d. **DESIGNATION OF SPS POSITIONS.** Each SPS position is designated on organizational staffing complements by title and occupational code used for comparable General Schedule (GS) positions, with the prefix "SPS" but excluding the GS grade level equivalent; e.g., Physicist SPS-1310.04-00.
- e. **PAY RATES.** Pay for SPS personnel ranges from the minimum rate for GS-16 to the highest rate for GS-18. Pay steps for the Scientific Pay Schedule equate to the GS pay steps for GS-16 through GS-18 as follows:

Scientific Pay Schedule	General Schedule
Steps 1 through 4	GS-16, Steps 1 through 4
Steps 5 through 8	GS-17, Steps 1 through 4
Step 9	GS-18

Pay applicable to SPS pay steps will be adjusted automatically when there are changes in the corresponding GS pay steps.

- f. **QUALIFICATION REQUIREMENT FOR SPS POSITIONS.** To be considered for an SPS position an individual must have broad, productive experience in the major scientific field related to the position. The experience may have been obtained in Government, private industry, academic institutions, or professional societies or organizations. Individuals also must have demonstrated ability to either administer scientific programs, conduct research, or provide consultation of a very high order in the specialized branch of the scientific field. Additional factors in the consideration of a candidate for assignment to an SPS position are

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academic background, publications, activities in professional societies, general reputation in the scientific field, and current salary.

g. RESPONSIBILITIES

(1) The Director of Central Intelligence is responsible for:

- (a) Establishing SPS position ceiling for the Agency, with the approval of Congress and the Office of Management and Budget, and allocating such ceiling within the Agency as appropriate.
- (b) Approving the establishment of SPS positions and the inter-directorate transfer of SPS position ceiling within the authorized Agency SPS ceiling.
- (c) Approving appointments of personnel to SPS status and the reassignment of SPS personnel between directorates.
- (d) Approving promotions from SPS step 4 to step 5 (equivalent to GS-16/4 and GS-17/1) and from step 8 to step 9 (equivalent to GS-17/4 and GS-18/1).

(2) Deputy Directors are responsible for:

- (a) Recommending to the Comptroller, as part of their budget submissions, estimates of SPS positions and personnel required for their areas and, when necessary, recommending any revision to such budget submissions.
- (b) Recommending appointments to SPS status and desired pay steps, through the Director of Personnel, to the Director of Central Intelligence for approval.
- (c) Recommending promotions from SPS step 4 to step 5 and from step 8 to step 9, through the Director of Personnel, to the Director of Central Intelligence for approval.
- (d) Recommending to the Director of Personnel, for approval and processing, promotions to SPS steps 2 through 4 and steps 6 through 8.
- (e) Taking effective action to recruit, motivate, and retain competent scientific personnel.
- (f) Recommending to the Director of Personnel, for approval and processing, intra-directorate transfers of SPS position ceiling and deletions of SPS positions, and the reassignment of SPS personnel.

(3) The Director of Personnel is responsible for:

- (a) Determining that proposals for SPS positions included in staffing complements (see [redacted]) be consistent with the mission and functions of an activity and that personnel with special scientific qualifications are required at a level included in the Scientific Pay Schedule.
- (b) Assisting Deputy Directors in the recruitment and internal selection of qualified personnel to fill SPS positions.
- (c) Documenting and evaluating qualifications of proposed SPS assignees and SPS candidates for promotion in coordination with the Deputy Director concerned.
- (d) Recommending appropriate pay steps, in the appointment or conversion of SPS personnel, to the Director of Central Intelligence for approval. Emphasis will be placed on the qualifications and capabilities of the individual as they relate to the duties to be performed.
- (e) Ensuring that directorate SPS ceilings are not exceeded.

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- r (f) Establishing SPS positions on staffing complements resulting from a new SPS position requirement, or from the inter-directorate transfer of SPS position ceiling upon approval of the Director of Central Intelligence.
 - L (g) Recommending action to the Director of Central Intelligence on promotions of SPS personnel from SPS step 4 to step 5 and from step 8 to step 9.
 - (h) Approving recommendations from Deputy Directors for promotions to SPS steps 2 through 4 and steps 6 through 8, and processing appropriate personnel actions.
 - r (i) Approving intra-directorate transfer of SPS positions which involve no substantive change in functions, and deletions of SPS positions; and recommending action on inter-directorate transfer of SPS position ceiling through the Comptroller, to the Director of Central Intelligence.
 - L (j) Approving recommendations from Deputy Directors for reassignment of SPS personnel within directorates.
- (4) The Comptroller is responsible for:
- (a) Reviewing program and budget submission estimates of scientific personnel requirements to determine consistency with approved Agency missions, programs, overall personnel ceilings, and budget considerations; and in consonance with the Director of Personnel forwarding recommendations to the Director of Central Intelligence for increases in ceiling for scientific personnel that would be in excess of the Agency SPS ceiling.
 - (b) Reviewing requests for reallocation of SPS ceilings between directorates and forwarding such requests with recommendations to the Director of Central Intelligence.

25. Reserved

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21. PROMOTION

- SYNOPSIS. This regulation sets forth policy and responsibilities governing promotion of General Schedule Agency personnel, excluding supergrades. Also provided is a list of annual and semiannual dates established for promotions to GS-07 and above.
- a. GENERAL. The provisions of this regulation apply to the promotion of personnel to grades up to and including GS-15. They do not apply to the promotion of employees to grades GS-16, 17, and 18 covered in [] to the promotion of employees who occupy positions compensated in accordance with Wage Classification Schedules; or to specially qualified scientific personnel who are covered by []
- b. POLICY
- (1) The comparative evaluation of all personnel must be accomplished by the Heads of Career Services at least annually and will be done through the mechanism of Career Boards and, as appropriate, Career Panels.
 - (2) All Career Services will use an evaluation panel system to determine promotion eligibility.
 - (3) Panel recommendations and promotion rankings made by an evaluation panel may be changed only by the Director of Central Intelligence.
 - (4) Agency-wide uniform schedules are established for the promotion to grade GS-07 and above and provide for annual or semiannual promotion evaluation exercises at the option of the Career Service. Employees GS-05 and below may be evaluated for the purpose of promotion at any time that Heads of Career Services consider it appropriate, but at least annually. As the assessment function is important for such personnel, use of comparative evaluation is required.
 - (5) Promotion is based on merit. Eligibility for all promotion is based on the specific assessment that the employee is qualified to undertake higher level responsibilities. The primary assessment mechanism employed is that of comparative evaluation of employees in a particular grade and/or function. The elements to be considered in making assessments concerning ability to perform at higher levels of responsibility are: qualification for such responsibilities, performance in duties providing insight relating to advancement potential, performance in tasks that may be already at a higher level of responsibility than present grade, display of personal qualities that would support at least proficient performance at a higher level, and an overall evaluation of ability to perform at a higher level of responsibility either in the same function or a different function which might include supervisory or staff responsibilities.
 - (6) Each Career Service comprises the area for promotion for members of that service. The Head of a Career Service may establish separate areas of competition within that service when necessary because of differences in occupation or functional lines of work.
 - (7) Personnel serving on assignment outside their own component or outside the Agency must receive equal consideration for promotion with personnel not so assigned.
 - (8) Promotions are limited to one grade advancements. Exceptions to this policy will be made only when the Director of Personnel determines, upon recommendation of the Head of the Career Service concerned, that exception is justified.
 - (9) The bases for promotion of employees from the list of those eligible are: comparative ranking, the number of employees who may be promoted within grade ceiling constraints, and the specific comparison of qualified individuals against positions to be filled. Time-in-grade is a guideline but is not a rigid requirement.

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- (10) Those employees who give indication that they will be exceptional performers at higher levels of responsibility should not be constrained by time-in-grade guidelines if they are otherwise qualified for advancement.
- (11) The regulation pertaining to personal rank assignment [redacted] will be observed.
- (12) The Director of Personnel will not process recommendations for promotion of employees without a current Fitness Report prepared in accordance with the schedule in [redacted] approved exceptions to the schedule, or a more recent report prepared in response to other requirements.
- (13) Promotion recommendations will not be made on Fitness Reports.
- (14) Career Services will retain for at least five years the records of any evaluating body of the basis for its ranking of individuals within a group being evaluated in conformity with the provisions of paragraph b(1).
- (15) Career Services are responsible for publishing in their personnel handbooks the details of the way in which evaluation procedures incorporate the elements specified in paragraph b(5). The Director of Personnel will review such procedures to assure that they conform to Agency regulations and policies.

c. RESPONSIBILITIES

- (1) **SUPERVISORS.** Supervisors at all levels are responsible for providing Boards/Panels with performance appraisals in furtherance of the comparative ranking activity. Supervisors may, if authorized by the Career Service, make promotion recommendations to such boards or panels in accordance with the procedures of the Career Service.
- (2) **HEADS OF CAREER SERVICES.** Each Head of Career Service is responsible for:
 - (a) Developing and disseminating uniform promotion criteria in accordance with [redacted] and arranging for periodic revalidation of these criteria.
 - (b) Establishing appropriate Career Boards and Career Panels and providing them with uniform criteria for ranking in accordance with [redacted]
 - (c) Ensuring that the principle of comparative evaluation is followed as established by regulation and where extended by Career Service policies.
 - (d) Determining competitive areas in the Career Service.
 - (e) Forwarding the promotion recommendations to the Director of Personnel in accordance with the provisions of this regulation.
- (3) **DIRECTOR OF PERSONNEL.** The Director of Personnel is responsible for:
 - (a) Ensuring compliance with this regulation by continuous review of the Agency's comparative evaluation and promotion program.
 - (b) Reviewing all promotion requests and approving promotion actions that conform to the provisions of Agency regulations.

- d. **UNIFORM PROMOTION SCHEDULE.** Career Services have the option to promote employees on either an annual or semiannual schedule in accordance with the grade and date structure listed below:

PROMOTION TO THE NEXT GRADE
(Effective First Pay Period in Month)

Current Grade	Annual Option	Semiannual Option
GS-15 and above	July	January
GS-14	September	March
GS-13	November	May

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PROMOTION TO THE NEXT GRADE
(Effective First Pay Period in Month)

<u>Current Grade</u>	<u>Annual Option</u>	<u>Semiannual Option</u>
GS-12	December	June
GS-11	January	July
GS-10	February	August
GS-09	February	August
GS-08	May	November
GS-07	May	November
GS-06	June	December
L GS-05 and below	UNSCHEDULED	
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2. CATEGORIES OF PERSONNEL. This regulation sets forth the various categories of personnel employed or engaged by the Central Intelligence Agency.

a. STAFF PERSONNEL

- (1) The term "staff personnel" includes staff employees and staff agents. Such personnel are appointed under the authority of the Director of Central Intelligence to serve in an employment relationship that entitles them to normal benefits provided by general Federal law or regulation for appointed employees except as modified pursuant to laws applicable to the Agency. A staff agent must meet the same employment standards as a staff employee, but performs services under cover and is appointed in pseudonym for security reasons. Staff personnel must be citizens of the United States.
- (2) Staff personnel are appointed to one of the following categories depending upon the planned use of the individuals, the expected period their services will be required, and their interest in and potential for career service with the Agency: Career Employee, Reserve Employee, and Temporary Employee. The conversion of an employee from one category of employment to another will be accomplished by the issuance of Form 1150, Notification of Personnel Action. The categories of staff personnel are defined as follows:

(a) Career Employees

- (1) Career Employees are staff personnel who demonstrate the potential for long term service in the Agency by their job performance, personal conduct, capability, and desire.
- (2) During the initial three years of employment, each employee's performance, conduct, and general character traits will be evaluated. If at any time during the trial period the Head of the employee's Career Service determines that the employee's performance, conduct, or general character traits are unsatisfactory, the Director of Personnel will be so advised in writing. The Director of Personnel will then take action in accordance with [redacted] Credit towards completion of the trial period may be given for comparable service as a reserve employee or in a contract status.

(b) Reserve Employees

- (1) Staff personnel who are employed with the intention that they will serve in a noncareer status for a period of more than one year, but not to exceed five years, will be appointed as Reserve Employees. Reserve appointments will terminate at the end of the prescribed period or earlier if the Director of Personnel determines, upon recommendation by the Head of the Career Service, that the employee's services are no longer needed or that performance has been inadequate. Reserve appointments may be renewed for additional periods of five years or less upon the recommendation of the Head of the Career Service concerned.
- (2) Reserve appointments will be used to meet personnel requirements which are believed to be of less than five years' duration or to employ specialists or other individuals who possess urgently needed special qualifications but who do not desire or cannot be offered careers with the Agency.
- (3) Reserve Employees who demonstrate potential for and interest in a career in CIA may be selected as Career Employees, if otherwise eligible, upon the recommendation of the Head of the Career Service concerned.

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- (c) **Temporary Employees.** Staff personnel who are employed with the intention that they will serve in a noncareer status for a period of one year or less will be appointed as Temporary Employees. Temporary Employees are employed to fill seasonal jobs or continuing positions that are temporarily vacated.

b. NONSTAFF PERSONNEL

- (1) The following categories of individuals are nonstaff personnel:

(a) **Contract Personnel.** Contract personnel are individuals whose services are required to meet Agency needs which, because of the nature of the duties to be performed or the qualifications required, cannot be met by the assignment of staff personnel. The Agency's relationship with these individuals is established in their contractual agreements. [REDACTED]

(b) **Consultants.** Consultants are individuals with unusual or special skills, knowledge, or experience who are employed to serve in an advisory capacity. The Agency's relationship with these individuals is established in their contractual or employment agreements. [REDACTED]

(c) **Detailed Personnel.** Detailed personnel include military personnel and civilian employees of other Government establishments whose services are acquired on detail to perform particular duties in the Agency. Detailed personnel are associated with the Agency for periods specified by agreement with their parent organizations and receive the benefits to which they are entitled as members of such organizations. (See [REDACTED])

(d) **FBIS Alien Employees.** Foreign Broadcast Information Service (FBIS) alien employees are foreign nationals who are appointed under the authority of the Director of Central Intelligence to serve as employees of the United States Government in FBIS overseas installations. These employees perform staff functions under controlled and supervised conditions and may be authorized benefits and privileges similar to those granted to staff personnel.

- (2) Policies concerning the procurement and utilization of the services of contract personnel, consultants, and detailed personnel are contained in Agency regulatory issuances which are applicable to these respective groups.

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1. THE AGENCY REGULATORY SYSTEM

a. GENERAL

- (1) The Agency regulatory system consists of regulations, notices, and handbooks. These issuances prescribe policies and procedures essential to the control and direction of Agency activities.
- (2) The development of regulatory issuances is a cooperative effort that requires accurate staff work by initiators and coordinators and prompt resolution of differences. Whenever feasible, initiators and coordinators are expected to resolve differences through personal meetings to avoid delays and repetitious preparation of paperwork.
- (3) Agency coordinators include the Office of the Director, the Deputy Directors, the General Counsel, the Inspector General, the Comptroller, and the Legislative Counsel. Regulatory proposals generally will be sent to the coordinators for comment and suggestions.
- (4) The General Counsel or his designee will review all Agency regulatory materials and proposals, in whatever form, for their legality.

b. TYPE OF ISSUANCES. The types of issuances are:

- (1) Headquarters and [redacted] which are the basic medium for prescribing directives of a continuing nature. They prescribe policy, establish organization, delegate authority, and assign responsibilities.
- (2) Headquarters and [redacted] which are used to disseminate transitory information. They will not be used as the basic medium to convey permanent directives.
- (3) Headquarters and [redacted] which supplement regulations by providing the detailed procedures necessary to carry out Agency policies.

c. RESPONSIBILITIES AND PROCEDURES

- (1) The Deputy Director for Administration is responsible for the administration of the Agency regulatory system. He determines the extent to which regulatory proposals are coordinated and establishes the time limits within which coordination is to be completed.
- (2) The component initiating a regulatory proposal is responsible for obtaining the comments of other components within the same directorate having related or interdependent responsibilities and functions, or whose activities or personnel are substantially affected thereby, before submitting the proposal to the Regulations Control Branch (RCB) for processing.
- (3) The Regulations Control Branch is responsible for processing regulatory proposals, establishing and maintaining editorial standards, and initiating regulatory proposals as appropriate. When coordination is required, RCB will forward regulatory proposals to the appropriate Agency coordinators requesting comments within time limits not to exceed 30 calendar days. Coordinators will make every effort to respond within the established time limits, but may request an extension up to the 30 day limit. Comments submitted by coordinators after the 30 day limit will not be considered unless a request for further extension has been submitted in writing to the Deputy Director for Administration by the Deputy Director or Head of Independent Office concerned.

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
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- (4) When requested by the Regulations Control Branch, coordinators will identify the component(s) generating comments so that RCB may bring together the initiator and commenting component(s) for the resolution of differences.
 - (5) Within 20 calendar days after expiration of the time limit for receiving coordinator comments, the Regulations Control Branch will prepare a final version of the proposal for distribution to the coordinators and will notify the coordinators that this version will be forwarded for approval.
 - (6) A coordinator who does not concur in the final version of a regulatory proposal may request the Deputy Director of Central Intelligence to review the proposal by submitting a memorandum of nonconcurrence through the Regulations Control Branch to the DDCI within 10 calendar days of receipt of the final version. The DDCI will resolve the differences and notify RCB.
- d. **APPROVAL.** Agency regulatory issuances are published only upon approval by the Director of Central Intelligence or by the Deputy Director for Administration for headquarters issuances and the Deputy Director for Operations for field issuances. As set forth in  Agency regulations are issued pursuant to the authorities of the National Security Act of 1947, as amended (50 U.S.C. 401-403); the Central Intelligence Agency Act of 1949, as amended (50 U.S.C. 403a-j); Executive Order 12036; and other pertinent legislation and orders. When appropriate justification is submitted to the Deputy Director for Administration, and if he determines that the best interests of the Government are so served, the Deputy Director for Administration may approve exceptions to those normal administrative regulations that are not based upon statutory requirements or that do not require the approval of the Director.

TAB

8/27/79

"E" CAREER SERVICE

- I. NAPA Finding. "Reconsider the viability of the "E" Career Service and, if appropriate, dismember it and establish separate "mini-career" services for the various staff entities which now comprise the "E" Career." (NAPA, p. 117)
- II. Analysis/Background.
 - A. Rationale of the "E" Career Service. The "E" Career Service was formed to provide uniformity in handling the career and performance evaluation of individuals assigned to the Offices of the DCI Area including the Agency staff of the Director and the Deputy Director. In addition, it provides for conformity between the "E" Career Service and the career service systems of the four Directorates. The creation of the "E" Career Service in 1973 stemmed from the existence of employees in the Offices of the Director whose occupational specialties defied inclusion in any of the other services.
 - B. Structure of the "E" Career Service. The "E" Career Board is the umbrella unit. It is composed of the Heads or their alternates of the various offices reporting to the DCI. The secretary is the Administrative Officer to the DCI. The Chairman of the Board is designated annually by the DCI or the DDCI from among the various Office Heads. The basic responsibilities of the Board, as found in the "E" Career Service Handbook, are:
 - ° to provide general overview of all personnel, manpower and career management matters affecting the DCI Area and the members of the "E" Career Service;

- ° to provide advice to the DCI and the DDCI and guidance to the "E" Career Service Panels;
- ° to evaluate the career potential of each member of the "E" Career Service at grades GS-15 and above plus those below GS-15 assigned to the immediate office of the DCI.

There are seven panels. One panel has been established for each of the offices of the DCI area (Comptroller, General Counsel, Inspector General, Public Affairs, Equal Employment Opportunity and Legislative Counsel) and a Senior Secretary/Clerical Panel (GS-08 and above). The basic function of a panel is to conduct annual evaluations of members of the "E" Career Service, grades GS-08 through GS-14, who are assigned to the office that the panel represents. They also provide the Board with advice and comments on such matters as training and assignments. The panel members are normally line officers of the office concerned. Clerical employees GS-07 and below are administered by the office of assignment. Clerical employees GS-08 and above are administered by the Senior Secretary/Clerical panel.

C. Membership of the "E" Career Service. Selection into the "E" Career Service is based on an objective finding that the best interests of the Agency and the individual are served by a projected long-term career relationship with one or more offices of the DCI Area. Individuals on "rotational" assignments (defined as three years or less) retain the career service designation of their parent career service.

The FY 1979 ceiling calls for ☐ positions for the office of DCI Area (including the immediate staffs of the DCI and the DDCI).

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STAT On-duty strength as of 31 May 1979 was Professional employees number and clericals, Thus, percent of the work force is in the professional category; the majority are concentrated at the GS-15 and above level.

STAT As of 31 May 1979, of the professional employees assigned to the offices of the DCI Area did not belong to the "E" Career Service. Rotational personnel were concentrated in the Comp-trollers Office (professionals on-duty) and in the Office of the Inspector General (Inspectors on-duty). In the Office of the DCI only two special assistants along with the professional officers of the Administrative and Security Staffs were on rotational assignment. The remaining professional employees were "E" careerists. All clerical employees are members of the "E" Career Service.

STAT Of the "E" Career Service professional employees, approximately percent have specialized skills. These are the lawyers in OGC and the auditors of the Audit Staff of the OIG. Most of the remaining professional "E" careerists have talents that they either brought to the job or were refined on the job. Aside from the General Counsel and Audit Staff, professional employees, with a few exceptions, do not enter at the journeyman level and progress in a career pattern in the same office; rather, professionals enter the "E" Career Service at a relatively senior grade with considerable Agency experience and careers behind them. Some individuals are directly recruited from outside the Agency for a specific assignment in the DCI Area. Normally, these

individuals are appointed in a reserve or contract employment status for a specified period of time, and the rationale for their direct recruitment is the need for their unique skill or talent.

III. Conclusions.

- A. There is a professional and secretarial/clerical cadre permanently assigned to the Offices of the DCI Area and their careers/employment need management.
- B. Of the professional employees assigned to the Offices of the DCI Area, percent are on rotational assignment and do not fall under the auspices of the "E" Career Service.
- C. Secretarial/ Clerical members of the "E" Career Service are essentially similar to secretarial/clerical employees assigned elsewhere in the Agency; thus, the career management system found most successful for managing secretarial/clerical employees Agency-wide should be adopted for those secretarial/clerical members of the "E" Career Service.
- D. As discussed earlier, professional employees who are members of the "E" Career Service fall into two categories: those who joined the "E" Career Service at a relatively senior and experienced level and those dependent upon the "E" Career Service for the full range of career management needs Thus, the "E" Career Service differs from most Agency career services in that many of its members are not dependent upon the "E" Career Service for career management in the traditional sense. Rather the "E" Career Service primarily administers to the personnel needs of these employees. Accommodations, however, must be made for those members who are dependent upon the "E" Career Service for career development needs.

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- E. As it is Agency policy to follow the career service concept for all employees, for the sake of fairness and equity, those employees who are assigned on a permanent basis to the Offices of the DCI Area should be members of some form of a career service.

IV. Possible Alternatives.

- A. Disestablish the Independent Offices. Inherent in this alternative is submerging the functions of the Independent Offices down in the Agency organization and having the Heads report through various Deputy Directors. Personnel assigned would then join the career service of that Deputy Director. In most instances, this would not be feasible as the concept of the Independent Offices includes supporting the Director in his community as well as Agency role. This would not be as efficient from a lower position within the Agency. Also, some functions, such as that of the Inspector General and the Comptroller require Agency-wide duties and review roles that would be difficult to discharge from a Directorate level.
- B. Create a Series of "Mini-Services". In this alternative, a series of career services would be established following Office lines with the Head of that Office as the Head of the Career Service. Each Office would then be responsible for the career management and progression of employees within that Office. This would be a system similar to the one which existed prior to 1973. An initial difficulty would be duplicating the centralized services provided by the "E" Career Service Board, its secretary and the DCI Personnel

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Officer. This duplication would be costly in terms of manpower and time. The lack of career progression or growth in a small office would be of concern as, in most instances, entry would be at a senior level and it would be difficult to establish a career pattern within small specialty areas. Another difficulty would be the career placement of those individuals reporting directly to the DCI or DDCI. The panels within the "E" Career Service now function closely to the concept of "mini-services" with the advantage of centralized support and equal and fair practices being developed by the Board.

- C. Assign All Individuals on a Rotational Basis. Without having a cadre of permanently assigned individuals, there would be no need for an "E" Career Service as individuals so assigned would remain affiliated with their parent career service. The personal advantage to this system would be the career growth and experience afforded an individual by a rotational assignment in an Office of the DCI Area. Additionally, rotation would bring more background and expertise to many of the Offices. The overriding difficulty would be filling those jobs in the Office of General Counsel and the Audit Staff where certain skills are required that are only developed by training and experience. A probable case can be made for rotating Finance Officers into the Audit Staff where the primary role is one of financial, budget and program evaluation; most senior Finance Officers are similarly trained. However, it may not be feasible to rotate individuals without law degrees into the lawyer positions of OGC; finding sufficient recently trained lawyers within the Agency would be difficult. Also, the OGC skill of counsel and advice is developed through experience and

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exposure. Additionally, some mechanism will still be necessary to provide career service concepts to those permanently reporting to the DCI or DDCI. However, staffing more professional positions in the Offices of the DCI Area by individuals on rotational assignment has merit. Position evaluations indicate that all but the most senior positions and those in the Office of the General Counsel and the Audit Staff can be effectively staffed by individuals on a rotational assignment. From examining the DCI Area Position Control Register, it appears that this practice is usually followed only in the Office of the Comptroller and with a few of the Inspectors in the Office of the Inspector General. This rotational policy is beginning in OEEO where personnel generalist will spend a tour doing EEO speciality duties. By following this practice in other Offices of the DCI Area, there would be fewer professional members of the "E" Career Service; thus, the difficulty of providing career progression to professional members of the "E" Career Service would be reduced. Serious consideration by the "E" Career Service Board and its Chairman to this concept may be indicated.

D. Continue the "E" Career Service. Conceptually, career services are simply organizational elements responsible for the management of designated individuals. Individuals are assigned to the Offices of the DCI Area. Some have occupational specialities that cannot be easily included in any other services. Others elect to permanently join one of these Offices due either to career goals or to special interests. The Agency has elected a policy of career services the management of which is at the highest practical organizational level that can reasonably guide and handle a recognized group of people. This has been applied in the "E" Career Service

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with its Board and Panel system. Certain problems are inherent in the "E" Career Service and the main one is the lack of career progression in a planned and developed method. This lack is due basically to the size of the Service which limits movement and restricts the gaining of varied experience. Lack of career progression will continue to be a limiting factor in any system where the number of individuals included in that specialty is small and the need for those so trained is few. This constraint to the career service concept is offset by the advantage of offering a system that provides equity and fairness to all employees in the DCI Area and gives them a personnel management system similar to that offered Agency employees assigned in other Directorates.

V. NAPA Project Group Finding.

The concept of the "E" Career Service is viable for two basic reasons. First, the "E" Career Service meets the Agency criteria that all employees belong to a career service and that the service be managed from a senior level to assure uniformity and consistency. Secondly, there are "E" Career Service employees whose occupational specialties are such that there would be no tangible benefit in terms of personnel management to include them in another career service.

However, more professional positions in the Offices of the DCI Area should be staffed by individuals on rotational assignment. This could be accomplished by allowing fewer officers to convert to the "E" Career Service when on assignment to the DCI Area, nurturing rotational assignments in other Directorates for "E" careerists, and more frequent replacement of those "E" careerists who resign, retire, or transfer with officers on rotational tours from outside the "E" Career Service. Such a rotational policy would have to

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be gradual and also would have to be compatible with career progression of members of the "E" Career Service.

VI. NAPA Project Group Recommendation.

Retain the "E" Career Service but with more professional "E" career positions being staffed by officers on rotational assignment.

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